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The following information is provided pursuant to the People's obligations under CPL §245.20(k) and is obtained from the files of the Queens County District Attorney's Office as well as from data maintained by the New York City Police Department. Additionally, in a spirit of full disclosure consistent with our obligations under CPL §§245.20(7) and 245.55, additional material obtained from non-law enforcement sources may also be included below. The fact that this additional information is hereby disclosed is not to be taken as a concession that its disclosure is compelled under CPL Article 245.

The information below pertains to **Police Officer Joseph Vitale, Shield No. 24** whom the People intend to call as a witness in the above captioned hearing/trial.

CIVIL:

POLICE OFFICER JOSEPH VITALE WAS LISTED AS A DEFENDANT IN THE FOLLOWING CIVIL LAWSUITS:

1. **ALIFONSO, FRANCIS v. City of New York et. al. , INDEX NO. 29924/2019**

Please note that additional information regarding lawsuits, if desired, is available from a variety of public data bases.

DISCIPLINARY MATTER(S):

After CCRB investigations stemming out of unrelated case(s), the following recommendations were found by the assigned CCRB investigator(s) for **PO Joseph Vitale**:

Arising out of an incident that occurred on July 9, 2015; the CCRB investigator recommended that one allegation be cited as 'other misconduct:' 1-Other Misconduct: failed to prepare a memo book entry.

Police Officer Joseph Vitale is also currently under investigation by the CCRB for the following allegation:

Arising out of an incident that occurred on September 18th, 2020, the pending allegation is: 1-Offensive Language-Not otherwise specified at this time.

This officer was also the subject of allegations that were found to be, "unsubstantiated" following an investigation. The District Attorney is not in actual possession of any documentation supporting these allegations and are informed by representatives of the CCRB that they are currently unable to provide such documents for CPL §245.20 disclosure. Under our discovery obligation defined in CPL §245.20(1)(k), we disclose only allegations that are either pending or have been substantiated. There is no controlling authority

that requires the disclosure of an unsubstantiated allegation but we bring their existence to your attention pursuant to the presumption of openness required under CPL §245.20(7).

Please note that additional information regarding this officer's CCRB disciplinary history may be available at <https://www1.nyc.gov/site/ccrb/policy/MOS-records.page>.

The People reserve the right to move in *limine* to preclude or limit reference to this information in any further proceedings in this prosecution.